

**UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE**

Plaintiff(s)

TRENISE JACKSON

Civil Action No.:

vs.

Defendant(s)

ADAM JEFFREY KATZ, P.A., LAW OFFICE
OF ADAM JEFFREY KATZ, ADAM JEFFREY
KATZ, ESQ., JOHN DOES, I-V
(fictitious individuals) and ABC CORP., I-V
(fictitious companies)

**COMPLAINT AND DEMAND
FOR JURY TRIAL**

COMPLAINT AND DEMAND FOR JURY TRIAL

Trenise Jackson, Plaintiff in the above entitled and captioned matter, by way of Complaint against the Defendants respectfully demands Judgment of this Honorable Court against each Defendant, as follows:

INTRODUCTION

This is an action for damages against all Defendants for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA"). Plaintiff seeks actual damages, statutory damages, punitive damages, costs and attorney's fees pursuant to the FDCPA.

JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k (d), 28 U.S.C. § 1337, 28 U.S.C. § 1332. Declaratory relief is available pursuant to 28 U.S.C.

§ 2201 and 2202. Venue in this District is proper in that the conduct complained of occurred here and it is the district where Plaintiff resides. 28 U.S.C. § 1391.

PARTIES

3. Plaintiff, Trenise Jackson is a natural person residing in Jersey City, NJ, Hudson County and a protected person, as defined in the FDCPA.
4. Defendants Law Office of Adam Jeffrey Katz and Adam Jeffrey Katz, Esq., John Does, I-V (fictitious individuals) and ABC Corp I-V (fictitious companies) are domestic and/or foreign corporations engaged in the business of collecting debts in this State.
5. Defendants Adam Jeffrey Katz, Esq., John Does, I-V (fictitious individuals) and ABC Corp. I-V (fictitious companies) are "debt collectors" as defined by the FDCPA, 15 U.S.C. § 1692a(6).
6. All Defendants are doing business in the State of New Jersey.

REQUEST FOR TRIAL BY JURY

7. Plaintiff requests a trial by jury.

REQUEST FOR EXEMPLARY/PUNITIVE DAMAGES

8. Plaintiff respectfully requests that this Court instruct the jury, as the trier of facts, that in addition to actual, statutory and/or compensatory damages, punitive or exemplary damages may be awarded against the Defendants under the provisions of the FDCPA.

REQUEST FOR COSTS OF LITIGATION AND ATTORNEY FEES

9. Plaintiff respectfully requests that this Court award Plaintiff her litigation expenses and other costs of litigation and reasonable attorney fees incurred in this litigation, in accordance with the provisions of FDCPA.

GENERAL FACTUAL BASIS

10. Plaintiff was at all times a resident of the State of New Jersey.
11. Defendants, Adam Jeffrey Katz, Esq., John Does, I-V (fictitious individuals)

and ABC Corp. I-V (fictitious companies) contacted Plaintiff's employer and disclosed that Plaintiff owed a debt.

12. In violation of the FDCPA, Defendants also contacted Plaintiff's mother and disclosed the debt and gave false information.
13. In violation of the FDCPA, Defendants also contacted Plaintiff and advised that he needed to speak to her "before the prosecutor does". In addition the Defendants told the Plaintiff that they pleadings on file and were in the "process" of garnishing her wages.
14. As a result of these actions, Plaintiff has sustained actual damages, emotional distress and statutory damages.
15. All conditions precedent to the bringing of this action have been performed, waived or excused.

COUNT I

VIOLATION OF THE FDCPA BY DEFENDANTS, ADAM JEFFREY KATZ, P.A., LAW OFFICE OF ADAM JEFFREY KATZ, ADAM JEFFREY KATZ, ESQ., JOHN DOES, I-V AND ABC CORP. I-V

16. Plaintiff repeats, realleges and incorporates by reference Paragraphs 1 through 15 above.
17. Defendants violated the FDCPA. Defendants' violations include, but are not limited to, the following:
 - (a) The Defendants violated 15 U.S.C. §1692c(b) by communication with Plaintiff regarding another's debt;
 - (b) The Defendants violated 15 U.S.C. § 1692e(2)(A) by engaging in conduct with the intent to falsely represent the legal status of the debt.
 - © The Defendants violated 15 U.S.C. § 1692e(4) by engaging in conduct with the intent to imply that the nonpayment of the debt would result in the arrest or imprisonment of the Plaintiff.
 - (d) The Defendants violated 15 U.S.C. § 1692e(5) by threatening to take action that could not legally be taken and that defendants did not intend to take.
 - (e) The Defendants violated 15 U.S.C. § 1692e(7) by engaging in conduct with the intent to imply that the nonpayment of the debt was a crime.

(f) The Defendants violated 15 U.S.C. § 1692e(10) by giving false information and making false representations to the Plaintiff.

18. As a result of the above violations of the FDCPA, the Defendants Jeffrey Katz, Esq., John Does, I-V (fictitious individuals) and ABC Corp I-V (fictitious companies) are liable to the Plaintiff for declaratory judgment that their conduct violated the FDCPA, and for Plaintiff's actual damages, statutory damages, punitive damages, costs and attorney's fees.

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendants, Adam Jeffrey Katz, Esq., John Does, I-V (fictitious individuals) and ABC Corp. I-V (fictitious companies) for declaratory judgment that Defendants' conduct violated the FDCPA, and declaratory and injunctive relief for such; actual damages; statutory damages pursuant to 15 U.S.C. § 1692k; punitive damages; costs and reasonable attorney's fees, pursuant to 15 U.S.C. § 1692k, and for such other and further relief as may be just and proper.

GREENBERG MINASIAN, L.L.C.
Attorneys for Plaintiff Trenice Jackson

Date: September 22, 2008

S/ *William S Greenberg*
WILLIAM S. GREENBERG
GREENBERG MINASIAN, L.L.C.
80 MAIN STREET - SUITE # 450
WEST ORANGE, NJ 07052
(973)325-7711
Attorney ID No. (WSG-4659)